



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: RALF ENGEL- 1 PCT Examiner:
Ser. No.: 10/564,806 GROUP:3751
Filed: January 13, 2006 CONFIRMATION NO.:3410
TITLE: PLASTIC FUEL INLET COMPARTMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed please find the International Preliminary Report
on Patentability.

Respectfully submitted,
RALF ENGEL

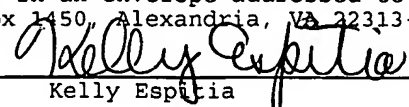
By

Allison C. Collard, Reg. No. 22,532
Edward R. Freedman, Reg. No. 26,048
Elizabeth Collard Richter, Reg. No. 35,103
Frederick J. Dorchak, Reg. No. 29,298
William C. Collard, Reg. No. 38,411
Attorneys For Applicant(s)

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576-1696
(516) 365-9802
ERF:im

encls.

I hereby certify that this correspondence is being deposited with the United States
Postal Service as first class mail in an envelope addressed to: MAIL STOP Amendment,
COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on


Kelly Espitia

JUL 07 2006

PATENT COOPERATION TREATY

PCT/EP2004/007990

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

EICHSTÄDT, Alfred
Kuhbergstr. 23
98317 Kronach
ALLEMAGNE

Anwaltssozietät
Marynlok & Eichstädt

28. Juni 2006

Frst:

Ba:

Date of mailing (day/month/year)
22 June 2006 (22.06.2006)

Applicant's or agent's file reference
PCT 204

IMPORTANT NOTIFICATION

International application No.
PCT/EP2004/007990

International filing date (day/month/year)
16 July 2004 (16.07.2004)

Applicant

DR. SCHNEIDER ENGINEERING GMBH et al

1. Transmittal of the translation to the applicant.☐

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☒

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yolaine Cussac

Facsimile No. +41 22 740 14 35

Facsimile No. +41 22 338 70 80

Form PCT/IB/338 (January 2004)

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT 204		FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/EP2004/007990		International filing date (day/month/year) 16.07.2004	Priority date (day/month/year) 18.07.2003
International Patent Classification (IPC) or national classification and IPC B60K15/05			
Applicant DR. SCHNEIDER ENGINEERING GMBH			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007990

Box No. 1

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):
- ☐ the international application as originally filed/furnished
- ☒ the descriptions:
- pages 1-7 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-15 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007990

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
1. Statement	
Novelty (N)	Claims 1-15 YES Claims NO
Inventive step (IS)	Claims 1-15 YES Claims NO
Industrial applicability (IA)	Claims 1-15 YES Claims NO
2. Citations and explanations (Rule 70.7)	
1	<p>This report makes reference to the following document:</p> <p>D1: DE 32 09 007 C (DAIMLER BENZ AG) 25 August 1983 (1983-08-25)</p>
2	<p>Document D1 is considered the closest prior art and discloses (the references between parentheses refer to that document):</p> <p>fuel tank trough (10) made of plastics for inserting into an opening in the bodywork (34) of a motor vehicle, comprising:</p> <ul style="list-style-type: none">- a through hole (40) in the rear wall and/or a connector (46) thereon for connecting or inserting a sealable fuel inlet;- a second through hole in the rear wall (42);- a substantially vertically extending pivot bearing (16) with horizontal bearing bores above and below in a side generated wall of the fuel tank trough (10) for the insertion

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007990

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

- of a bearing pin, rotatably mounted therein,
to which is secured a bearing lever (20) of a
cap (14) that seals the fuel tank trough
(10);
- at least one inner and/or outer bearing
chamber formed on at least one generated wall
of the fuel tank trough (10) for
accommodating at least one controllable
sealing arrangement that is arranged in a
housing for locking the closed cap (14) with
a rotatably or slidably mounted closing
element that can be actuated by a motor
and/or by hand, said closing element
detachably engaging a catch on the rear of
the bearing lever (20) or the cap (14) when
in the locked position;
 - arrangements on the outer side of the
generated wall for catching the fuel tank
trough (10) and/or securement catches for
securing the fuel tank trough to the body
work of the vehicle and/or to supports
secured thereto (see D1, paragraphs 9-12,
figures 1 and 2),

from which the subject matter of independent
claim 1 differs in that:

a second through hole which is delimited by an
attenuation groove is marked or formed in the rear
wall for bivalent gas refuelling, and in that
following incorporation or during the pre-
assembling of the fuel tank trough in the recess

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007990

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
-----------	--

in the vehicle body, the thus delimited wall part can be broken off or ejected to form the through hole.

2.1

The subject matter of claim 1 is thus novel (PCT Article 33(2)). The present invention can therefore be considered to address the problem of developing a fuelling system which can easily be converted into a system with two connections for two fuels, for bivalent gas refuelling.

2.2

The solution to this problem as proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons: the available prior art neither discloses nor suggests the formation of a second hole which is delimited by means of an attenuation groove and can be broken off.

2.3

Claims 2-15 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.